GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

Health & Family Welfare - Mishaps and violations of SOPs – Directives of Hon'ble Supreme Court in order dt.14.09.2016 in W.P. (Civil) No.95/2012 - Implementation of the orders – Payment of compensation to (15) sterilization deaths per year on average - Administrative sanction for Rs.30.00 lakhs per year – Orders – Issued.

HEALTH, MEDICAL & FAMILY WELFARE (E.2) DEPARTMENT

G.O.MS.No. 151 **Dated: 06-09-2018**

Read the following:

1. From the Secretary to Govt. of India, MoH&FW, New Delhi, D.O.Lr.No.11017/C/1/2012-FP(Pt.), dt.04.10.2016.
2. From the Commissioner of Health & Family Welfare, A.P., Vijayawada Letter Rc.No.68/SC Case/JD(PS&SP)/2015, Dated:05.02.2018 & 09.03.2018.

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O R D E R:

In the reference 1st read above, the Secretary to Government of India, Ministry of Health & Family Welfare, New Delhi has informed that, in view of certain mishaps and violations of SOPs reported from some States in the past, the Hon'ble Supreme Court while disposing off the W.P.(Civil) No.95/2012 (Devika Biswas v/s Union of India) has given specific directions in its order dt.14.09.2016, to be strictly followed by the Government of India, the State Governments and Union Territories for delivering quality family planning services in the country.

2. Further, from January, 2017 onwards, the State Government should double the compensation paid to the client per sterilization death case (Central share 2.00 lakhs per each case (within 7 days from date of discharge from the hospital) and Rs.50,000 (from 8 to 30 days from the date of discharge from the hospital) & State Share Rs.2.00 lakhs per each case (within 7 days from the date of discharge from the hospital) and Rs.50,000 (from 8 to 30 days from the date of discharge from the hospital) under Family Planning Insurance Scheme and the State share amount to be borne by the State under Health Budget.

3. In the reference 2nd read above, the Commissioner of Health & Family Welfare (I/c.), A.P., Vijayawada, has stated that the objective of the Family Planning Insurance Scheme (2005) is to indemnify all the beneficiaries of sterilization, doctors and health facilities (public and accredited private/NGO) conducting sterilization operation in the unlikely event of death/failure/complication following sterilization operation and details are given below:

S.No.	Issues covered	Limit of indemnity
1.	Death due to sterilization operation in Hospital or within 7 days from the date of discharge from the hospital	Rs.2,00,000
2.	Death occurring due to sterilization operation between 8 to 30 days from the date of discharge from the hospital	Rs.50,000
3.	Failure of sterilization operation (payable once only)	Rs.30,000
4.	Expenses for treatment of medical complication due to sterilization operation (within 60 days of operation)	Actual, subject to maximum of Rs.25,000
Section II: Empanelled Doctors under Public and Accredited Private/NGO Sector and health facilities under Public and Accredited Private/NGO Sector.		
5.	Indemnity coverage to the Service Providers on legal issues arising out of the surgery.	Rs.2,00,000

(p.t.o.)

4. The Commissioner of Health & Family Welfare (I/c.), A.P., Vijayawada has requested to allot an amount of Rs.30.00 lakhs per year on an average of (15) sterilization deaths per year @ Rs.2.00 lakhs per each case as State Share for payment along with Government of India share as per the directives of Hon'ble Supreme Court judgement in W.P. (Civil) No.95/2012.

5. The Government, after careful examination of the matter, hereby accord administrative sanction for an amount of Rs.30.00 lakhs (Rupees thirty lakhs only) per year on an average of (15) sterilization deaths per year, and to sanction as per eligibility in each case, as State Share for payment along with Government of India share as per the directives of Hon'ble Supreme Court judgement in W.P. (Civil) No.95/2012.

6. The expenditure sanctioned in Para (5) above, shall be debited to the Head of Account 2211-Family Welfare - 105- Compensation - GH - 11- State Development Schemes – SH (04) - Ex-gratia Assistance in Cases of Fatality/complication due to Vasectomy/Tubectomy and I.U.D. Insertions – 500 - Other Charges – 501- Compensation (Charged).

7. The Commissioner of Health & Family Welfare (I/c.), A.P., Vijayawada, shall take further action accordingly.

8. This order issues with the concurrence of Finance (FMU-HM& FW) Dept. vide their U.O.No. FIN01-42029/45/2018, dated:**23/08/2018.**

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

DR.POONAM MALAKONDAIAH
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To:
The Commissioner of Health & Family Welfare (I/c.), A.P., Gollapudi, Vijayawada.
The Managing Director, National Health Mission, A.P., Gollapudi, Vijayawada.

Copy to:
The Additional Secretary & Managing Director, National Health Mission,
Ministry of Health & Family Welfare, Nirman Bhavan, New Delhi -110011.
The Principal Accountant General, A.P., Hyderabad.
The Pay & Account Office, Vijayawada.
Sc./Sf.

// FORWARDED :: BY ORDER //

SECTION OFFICER